

MICHAEL W. DOTTS, Esq.
O'Connor Berman Dotts & Banes
Second Floor, Marianas Business Plaza
P.O. Box 501969
Saipan, MP 96950
Telephone No. (670) 234-5684
Facsimile No. (670) 234-5683

Attorneys for Plaintiff Antonio S. Camacho

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

ANTONIO S. CAMACHO

Plaintiff,

vs.

**COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS,
DEPARTMENT OF PUBLIC LANDS,
successor to the Marianas Public Lands
Authority, and DEPARTMENT OF
PUBLIC WORKS,**

Defendants.

) **CIVIL CASE NO. 05-0043**

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

Comes now Plaintiff, Antonio S. Camacho, through counsel, and hereby moves the Court for a Writ of Execution or for an Order in Aid of Judgment against Defendants Commonwealth of the Northern Mariana Islands, Department of Public Lands, successor to the Marianas Public Lands Authority, and Department of Public Works, pursuant to Rule 69 of the Federal Rules of Civil Procedure.

In support of this motion, Plaintiff shows the court the following:

1 1. On December 8, 2006, the Court issued its Judgment in favor of Plaintiff and
2 against Defendants. The Court ordered that Plaintiff shall recover from Defendants the amount
3 of \$239,397.00 and the costs of suit.

4
5 2. On December 22, 2006, the Court awarded costs to Plaintiff in the amount of
6 \$1,352.50.

7
8
9 3. On January 8, 2007, Defendants filed a Notice of Appeal.

10
11 4. On August 27, 2007, the United States Court of Appeals for the Ninth Circuit
12 dismissed Plaintiff's appeal.

13
14
15 5. Defendants have failed, refused and intentionally refuse to pay any part of the
16 Judgment.

17
18 6. Defendant will be in arrears in the total amount of \$261,286.09 as of August 28,
19 2008 which includes the judgment amount of \$239,397.00, costs of \$1,352.50, and 4.95 % post
20 judgment interest of \$20,536.59. *See Summary of Amounts Due attached to the Declaration of*
21 *Michael W. Dotts.*

22
23
24 7. The 4.95% post judgment interest was calculated from the date of entry of
25 judgment, at a rate equal to the weekly average 1 year constant maturity Treasury yield, as
26 published by the Board of Governors of the Federal Reserve system, for the calendar week
27
28

1 preceding the date of the judgment, pursuant to 28 USC § 1961. *See published interest rates*
2 *attached to the Declaration of Michael W. Dotts.*

3
4 8. The purpose of this Motion for an Order in Aid of Judgment is to authorize
5 execution on the full judgment amount against any bank accounts held in the Commonwealth in
6 the name of the Department of Public Lands, or to examine Defendants' ability to pay and to
7 determine the fastest manner in which Defendants can pay the Judgment which remains
8 unsatisfied.
9

10
11 Respectfully submitted this 24th day of July, 2008.

12
13 O'CONNOR BERMAN DOTTS & BANES,
14 Attorneys for Antonio S. Camacho

15 By: /s/ _____
16 Michael W. Dotts
17
18
19
20
21
22
23
24
25
26
27